

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 5582-02
Bill No.: HB 2371
Subject: Abortion; Hospitals; Health and Senior Services Department; Health Care
Type: Original
Date: February 19, 2016

Bill Summary: This proposal changes the laws regarding abortions.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2017	FY 2018	FY 2019
General Revenue	(Less than \$100,000)	(Less than \$100,000)	(Less than \$100,000)
Total Estimated Net Effect on General Revenue	(Less than \$100,000)	(Less than \$100,000)	(Less than \$100,000)

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2017	FY 2018	FY 2019
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 5 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2017	FY 2018	FY 2019
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2017	FY 2018	FY 2019
Total Estimated Net Effect on FTE	0	0	0

Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$100,000 in any of the three fiscal years after implementation of the act.

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2017	FY 2018	FY 2019
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Oversight was unable to receive some of the agency responses in a timely manner due to the short fiscal note request time. Oversight has presented this fiscal note on the best current information that we have or on prior year information regarding a similar bill. Upon the receipt of agency responses, Oversight will review to determine if an updated fiscal note should be prepared and seek the necessary approval of the chairperson of the Joint Committee on Legislative Research to publish a new fiscal note.

Officials from the **Missouri Office of Prosecution Services (MOPS)** assume the proposal will have no measurable fiscal impact on MOPS. The creation of a new crime creates additional responsibilities for county prosecutors which may, in turn, result in additional costs, which are difficult to determine.

Officials from the **Department of Natural Resources**, the **Office of State Courts Administrator** and the **Office of State Public Defender** each assume the proposal would not fiscally impact their respective agencies.

Oversight notes that the provisions at 188.036.7 provide that a person who violates the provisions of subsection 3, 4 or 5 of this section shall be guilty of a class C felony. Oversight assumes the Department of Corrections could incur some costs as a result of the class C felony, but is unable to determine the actual amount of those costs. Due to the narrow scope of the crime, the costs are assumed to be less than \$100,000 annually.

In addition, provisions of the proposal at 188.047.4 provide that the Department of Health and Senior Services (Department or DHSS) is to pair each notice of abortion with its corresponding pathology report and if the Department does not receive the notice of abortion and the pathology report, it is to conduct an investigation. All reports and information received by the Department are to be compiled and included in an annual report to the general assembly. Other provisions of this proposal provide for the Department to make one announced and one unannounced on-site inspection at least annually of any ambulatory surgical center operated for the purpose of performing or inducing abortions. **Oversight** assumes the provisions of this proposal can be performed by the DHSS with existing staff. However, if the costs of investigations and reports are greater than anticipated, the Department may request additional appropriations.

<u>FISCAL IMPACT - State Government</u>	FY 2017 (10 Mo.)	FY 2018	FY 2019
GENERAL REVENUE FUND			
<u>Costs - DOC (\$188.036)</u>			
Increased incarceration/parole costs	<u>(Less than \$100,000)</u>	<u>(Less than \$100,000)</u>	<u>(Less than \$100,000)</u>
ESTIMATED NET EFFECT ON THE GENERAL REVENUE FUND			
	<u>(Less than \$100,000)</u>	<u>(Less than \$100,000)</u>	<u>(Less than \$100,000)</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2017 (10 Mo.)	FY 2018	FY 2019
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

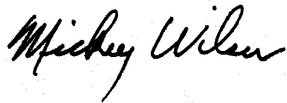
FISCAL DESCRIPTION

Current law prohibits the procurement or inducement of an abortion or the conception of an unborn child for the purpose of obtaining fetal organs or tissue and prohibits the sale of fetal organs or tissue. This bill makes a violation of these provisions a class C felony and permits the court to impose a fine in an amount not less than twice the amount of any valuable consideration received in violation of these provisions.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Natural Resources
Missouri Office of Prosecution Services
Office of State Courts Administrator
Office of State Public Defender



Mickey Wilson, CPA
Director
February 19, 2016

Ross Strobe
Assistant Director
February 19, 2016